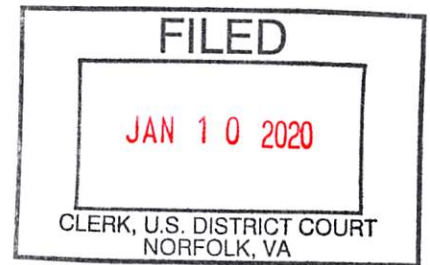


UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Norfolk Division



PAULA MARIE BRADSHAW,

Petitioner,

v.

ACTION NO. 2:19cv60

HAROLD W. CLARKE,
Director of the Virginia
Department of Corrections,

Respondent.

FINAL ORDER

Petitioner Paula Marie Bradshaw, a Virginia inmate, has submitted a *pro se* petition pursuant to 28 U.S.C. § 2254. ECF No. 1. Ms. Bradshaw alleges that her federal rights were violated when she was convicted in the Circuit Court for the City of Chesapeake of threatening to bomb or burn a building in violation of Virginia Code § 18.2-83. ECF No. 1 at 1, 5–11. As a result of this conviction, Ms. Bradshaw was sentenced to three years in prison on February 23, 2018. ECF No. 1 at 1.

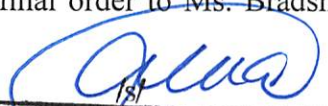
The petition was referred to a United States Magistrate Judge pursuant to the provisions of 28 U.S.C. § 636(b)(1)(B) and (C) and Rule 72 of the Rules of the United States District Court for the Eastern District of Virginia for a report and recommendation. The report and recommendation (ECF No. 21), filed November 8, 2019, recommends granting Respondent's motion to dismiss, ECF No. 15, and denying the petition for a writ of habeas corpus, ECF No. 1, with prejudice. Each party was advised of the right to file written objections to the findings and recommendations made by the Magistrate Judge.

On November 27, 2019, the Court received Ms. Bradshaw's objections to the report and recommendation. ECF No. 22. The Court has reviewed the record and examined the objections filed by Ms. Bradshaw to the report and recommendation and has made *de novo* findings with respect to the portions to which there were objections. The Court adopts and approves the findings and recommendations set forth in the report and recommendation.

The Court, therefore, **ORDERS** that Respondent's Motion to Dismiss, ECF No. 15, is **GRANTED**, and the petition for a writ of habeas corpus, ECF No. 1, is **DENIED** and **DISMISSED** with prejudice. Ms. Bradshaw has failed to demonstrate "a substantial showing of the denial of a constitutional right," and the Court declines to issue any certificate of appealability pursuant to Rule 22(b) of the Federal Rules of Appellate Procedure. *See Miller-El v. Cockrell*, 537 U.S. 322, 335–36 (2003).

Ms. Bradshaw is **ADVISED** that because a certificate of appealability is denied by this Court, she may seek a certificate from the United States Court of Appeals for the Fourth Circuit. Fed. R. App. P. 22(b); Rules Gov. § 2254 Cases in U.S. Dist. Cts. 11(a). **If Ms. Bradshaw intends to seek a certificate of appealability from the Fourth Circuit, she must do so within thirty (30) days from the date of this Final Order. Ms. Bradshaw may seek such a certificate by filing a written notice of appeal with the Clerk of the United States District Court, United States Courthouse, 600 Granby Street, Norfolk, Virginia 23510.**

The Clerk shall please mail a copy of this final order to Ms. Bradshaw and counsel of record for respondent.



Arenda L. Wright Allen
United States District Judge
Arenda L. Wright Allen
United States District Judge

Norfolk, Virginia
January 9th, 2020